

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 6 and 12-15 were previously canceled without prejudice or disclaimer of the subject matter therein.

Claims 1 and 8-10 are amended without the introduction of new matter.

Claims 1-5 and 7-11 are pending.

II. Claim Rejections under 35 U.S.C. § 102/103

Claims 1-4 and 7-11 were rejected under 35 U.S.C. §102(e) as anticipated by Ehrnsperger et al. (U.S. Patent No. 6,160,200, herein "Ehrnsperger"). Claims 4 and 5 were rejected under 35 U.S.C. §103(a) as unpatentable over Ehrnsperger in view of Roe et al. (U.S. Patent No. 5,607,760, herein "Roe"). Applicant respectfully traverses the rejections.

Independent claims 1 and 8-10 are amended to clarify subject matter recited therein, and now each recite that "a support layer substantially entirely and directly [coats] said skin-protective ingredient containing layer." Support for such recitation is found in, for example, the Specification at page 12, lines 10-18, and Figs. 2, 5A and 5B.

Accordingly, because "the substantially entire support layer [is] fully soluble in water," only when the skin-protective ingredient of the skin-protective ingredient containing layer is needed to be activated, the ingredient appears on the surface of the absorbent article to be in contact with the skin

of the wearer. As a result, the ingredient is efficiently retained in the skin-protective ingredient containing layer.

The Examiner states, in the Response to Arguments section of the outstanding Office Action, that “[t]he support layer is not claimed as being the only layer present on surface of the article, and therefore the presence of the barrier material 68 in the article of Ehrnsperger is still within the scope of the present claims.” In response, claims 1 and 8-10 are each amended as noted above. In this regard, Ehrnsperger merely describes that “[a]t least a portion of the body facing surface includes one or more soluble materials 66 which are capable of being dissolved by substances commonly found in human or mammalian bodily.”¹ Ehrnsperger fails to disclose that “a support layer substantially entirely and directly [coats] said skin-protective ingredient containing layer,” as recited in each of claims 1 and 8-10.

Therefore, the present invention recited in claims 1-4 and 7-11 are patentably distinguishable over Ehrnsperger. Accordingly, Applicant respectfully requests the withdrawal of claims 1-4 and 7-11 based on Ehrnsperger.

Claims 4 and 5, each of which depends from claims 1 and 3, are allowable at least for the above reasons advanced for amended claim 1. In addition, the Examiner explains that Roe is combined with Ehrnsperger to supplement the deficiency of Ehrnsperger in that Ehrnsperger is silent as to the composition of the skin-protective ingredient. Accordingly, even if the teachings of Ehrnsperger and Roe are combined, the combined teachings of the cited references would not obviate the present invention recited in amended claim 1 and claims 4 and 5 dependent therefrom.

¹ See Ehrnsperger, column 10, lines 38-41.

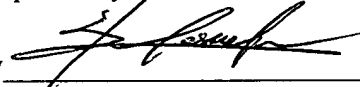
Therefore, the present invention recited in claims 4 and 5 are patentably distinguishable over Ehrnsperger and Roe, either taken individually or in combination.

CONCLUSION

In view of the above amendments and remarks, Applicant believes the pending application is in condition for allowance. If there are any remaining issues which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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